

## **April 2004 Unified Program Newsletter**

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### **Department of Toxic Substances Control**

#### **SB 14 Compliance Phase**

The Department of Toxic Substances Control (DTSC) has begun its initiative to return hazardous waste generators that have not filed their 2002 SB 14 Summary Progress Report (SPR) back to compliance. Under the Hazardous Waste Source Reduction and Management Review Act of 1989 (SB 14), larger generators were required to prepare and submit their 2002 SPR to DTSC by September 1, 2003. This project involved DTSC staff evaluating databases, conducting mass mailings, taking phone calls and conducting training. Of the 5,000 generators contacted from 2000 through the first part of 2002, all but two facilities were returned to compliance. By the end of this two-year compliance effort the number of generators submitting their SPR rose to almost 2,000. DTSC's current project will follow the successful 2000-2002 initiative.

Currently, approximately 1,200 generators have submitted their 2002 SPR to DTSC. This is substantially more than initially reported for the 1998 cycle. Our initial compliance mailing to potential non-compliant 2002 SB 14 generators will occur in April and May 2004. The CUPAs play an important role in this type of activity since they are the local enforcement agency and may be the initial contact for generators regarding these SB 14 mailings.

The SPR is one of three source reduction documents to be prepared by generators covered for the SB 14 source reduction program. For more information on the SB 14 program please visit DTSC's pollution prevention web site, <http://www.dtsc.ca.gov/PollutionPrevention/index.html>, or contact DTSC's Phil Loder at (916) 327-1190.

#### **RCRA Large Quantity Generator Data**

This is a reminder that the current quarter update (Jan-Mar 04) RCRA LQG data is due on 1 May 2004. Please refer to the letter containing the original request dated 24 December 2003. Please submit your data to:

Mr. Charles A. McLaughlin, Chief  
State Oversight and Enforcement Branch  
Department of Toxic Substances Control  
8800 Cal Center Drive  
Sacramento, California 95826-3200

or

[cmclaug1@dtsc.ca.gov](mailto:cmclaug1@dtsc.ca.gov)

If you have any questions, please call your DTSC CUPA liaison or Mr. McLaughlin at 916-255-3642.

## **State Water Resources Control Board**

### **UST Inspectors' Workshop**

The next UST inspectors' workshop will take place on April 20, 2004. A representative of Fillner Construction will make a presentation on installation of sump and UDC electrical equipment.

### **UST Training Regulations**

The UST Training regulations The regulations were delivered to the Office of Administrative Law (OAL) for review and approval on February 26, 2004. OAL has until April 9, 2004 to complete their review.

### **Proposed Regulations for Red Tags**

The proposed "Red Tag" regulations were revised to comply with Executive Order S-2-03, and adopted by the State Water Board on March 18, 2004. They are being prepared for submittal to the Office of Administrative Law (OAL) for final review.

## **Enforcement**

### **Oil Tank Cleanup Firm Owner Sentenced in Fatal Blast**

The owner of a Washington state company, charged with worker safety violations in connection with a fatal 2001 petroleum tank explosion in Chico, drew a one-year jail term and \$1.3 million in court fines Friday. <http://www.chicoer.com/Stories/0,1413,135%257E25088%257E2045096,00.html?search=filter>

### **City Attorney Rocky Delgadillo Launches Environmental Justice Project**

Concentrated Effort to Combat Urban Pollution Modeled After Delgadillo's Successful Neighborhood Prosecutor Program. City Attorney Rocky Delgadillo today announced the creation of the Environmental Justice Enforcement and Compliance Team (EJECT), an unprecedented, comprehensive effort to combat environmental crimes plaguing the most disadvantaged neighborhoods in Los Angeles. See attached for complete story.

### **31,300 Settlement Reached with Lawrence Livermore National Laboratory For Hazardous Waste Violations**

Contact: Angela Blanchette 510.540.3732 Ron Baker 916.324.3142 [California Department of Toxic Substance Control <http://www.dtsc.ca.gov>](http://www.dtsc.ca.gov)

Sacramento, CA - February 20, 2004 The California Department of Toxic Substances Control (DTSC) today announced a \$31,300 settlement with Lawrence Livermore National Laboratory (LLNL) for hazardous waste violations at its facility located at 7000 East Avenue in Livermore. The settlement stems from violations noted during inspections by DTSC in March 2000, May 2002, and March 2003. DTSC inspectors found the following violations: • Storing mixed wastes, which are hazardous wastes that also contain low-level radioactive components, for more than one year without authorization. The mixed wastes were treated shredder waste contaminated with trichloroethylene, toluene, and spent organic solid lab trash. • Storing 55-gallon drums of hazardous waste longer than the one year limit. The drums contained used inorganic liquid trimsol and mop water. • Receiving, treating, and storing a container of liquid shredder waste without following the facility's Waste Analysis Plan. • Several employees that manage hazardous waste at LLNL were not provided with or did not complete requisite training courses for handling hazardous waste.

The Unified Program Section is interested in your comments and suggestions regarding the newsletter. Please provide comments and suggestions to Anie Wilson at (916) 327-9559 or [awilson@calepa.ca.gov](mailto:awilson@calepa.ca.gov).

[Cal/EPA Unified Program Home Page](#)

**FOR IMMEDIATE RELEASE**  
**April 1, 2004**

**Contact: Frank Mateljan**  
**(213) 978-8340**

## City Attorney Rocky Delgadillo Launches Environmental Justice Project

### *Concentrated Effort to Combat Urban Pollution Modeled After Delgadillo's Successful Neighborhood Prosecutor Program*

LOS ANGELES – City Attorney Rocky Delgadillo today announced the creation of the Environmental Justice Enforcement and Compliance Team (EJECT), an unprecedented, comprehensive effort to combat environmental crimes plaguing the most disadvantaged neighborhoods in Los Angeles.

Delgadillo's environmental justice project, the first of its kind for a municipal law enforcement agency, combines multi-agency inspections, criminal prosecution, civil litigation and community input to identify and take action against urban industrial pollution.

"Industrial polluters contaminate our water, soil and air, and they threaten the health of the children in some of our most disadvantaged neighborhoods," Delgadillo said. "My office has a responsibility to stick up for communities that lack the financial resources to take on polluters by themselves."

Delgadillo said that the environmental justice project will concentrate on clusters of "dirty" industries located in neighborhoods with disproportionate exposure to potential polluters, including Sun Valley, Wilmington, Boyle Heights and South Los Angeles.

The environmental justice project establishes a new way to prosecute environmental crimes, never before attempted by a municipal law enforcement agency.

"The environmental justice project will drive the enforcement of environmental, health and safety laws in a proactive and comprehensive way," Delgadillo said.

In the past, urban environmental enforcement was handled in a reactive and piecemeal fashion, Delgadillo said. The City Attorney's Office would typically wait until it received notices of violation from one of the over 30 city, county and state agencies, then proceed on a single violation.

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EJECT will coordinate multi-agency inspections of industrial facilities located in high-risk neighborhoods, allowing for aggressive prosecution on multiple counts against a single violator.

The environmental justice project also draws from Delgadillo's successful Neighborhood Prosecutor Program by assigning a deputy city attorney to work directly with the neighborhoods that bear the brunt of environmental injustice.

"Prosecutions alone cannot remedy 50 years of injustice," Delgadillo said. "We need the collaboration and commitment of all city, county and state agencies, and, most importantly, involvement from the community."

EJECT is housed in the Safe Neighborhoods Division of the City Attorney's Criminal Branch, and is headed by Deputy City Attorney Patty Bilgin. Bilgin has been a criminal prosecutor for nine years, and specializes in environmental law. Deputy City Attorneys Jaime Suarez and Von Manassian will work closely with Bilgin on criminal prosecution of environmental law.

Deputy City Attorney Gideon Kracov, who before joining the City Attorney's Office represented non-profit environmental justice organizations in cases against industrial facilities, will spearhead the civil litigation portion of Delgadillo's environmental justice project. Kracov, working with Delgadillo's neighborhood prosecutors, will serve as the principal liaison to Los Angeles residents on issues of environmental justice.

The environmental justice project will also reach out to industrial facilities to encourage compliance with environmental laws.

"My office is seeking environmental justice for our children by ensuring that potential polluters comply with every letter of every law on the books," Delgadillo said. "Voluntary compliance is the first option. But if polluters ignore the community's needs, we will continue to prosecute until the polluters clean up their act or get out of town."

Delgadillo's environmental justice project is a result of an internal reorganization, and requires no additional city staff or resources. Residents will benefit from an efficient use of existing resources with EJECT, since more than 30 city, county and state environmental agencies will collaborate to tackle a single neighborhood problem, Delgadillo said.

"The environmental justice project takes full advantage of limited resources to benefit the under-served neighborhoods of Los Angeles," Delgadillo said. "The synergy produced by multiple agencies working together will allow us to provide more service at less cost."

The new unit will oversee several of the office's ongoing environmental initiatives to increase enforcement of environmental laws in the city.

Since January 2003, the City Attorney's Office has coordinated the inspection of over 200 facilities and has filed more than 40 criminal cases relating to environmental violations.

Delgadillo began a focused effort to address environmental injustice with the Sun Valley Initiative, a multi-agency taskforce focused on inspecting auto dismantling yards, concrete, marble and gravel operations in the San Fernando Valley. To date, the Sun Valley Initiative has conducted 143 inspections for air, soil and groundwater contamination, including four multi-agency inspections at Bradley Landfill.

Another project to be incorporated into the environmental justice project is the Wilmington Initiative. Initiated on June 5, 2003, the effort has resulted in 18 criminal cases against Harbor-area businesses. On March 10 of this year, the Wilmington Initiative inspected the Valero Oil Refinery.

In October 2003, Delgadillo launched the Chrome Platers Initiative, which was designed to inspect a sample of the approximately 207 permitted chrome plating facilities in Southern California. Many of these companies are concentrated in South Los Angeles and Boyle Heights. As a result, 10 criminal charges were filed in February against Palace Plating, a chrome plating facility located across the street from 28<sup>th</sup> Street Elementary School in South Los Angeles.

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